

Section 14.5-28. Emissions Fee for Stationary Sources.

A fee shall be collected from each stationary air pollution source which has more than one ton of actual emissions annually of a regulated pollutant as defined herein, called the "emissions fee", which shall equal the amount determined by the requirements set forth in Appendix A of this article. The fee collected shall be adjusted by resolution of the board of county commissioners from time to time consistent with the need to cover the costs authorized by this article. For purposes of this article, a "stationary air pollution source" shall be that group of air pollution sources located within a contiguous area and under common control.

(Ord. No. 102, §3, 3-30-92. Amended by Ord. No. 203, effective 9-18-98.)

APPENDIX A

Emission Fee Rate

- a. Twenty-nine Dollars and Sixty-five Cents (\$29.65¹) per ton of emissions emitted from the source, not including fugitive emissions and actual excess emissions that are the result of process malfunctions and facility start-up and shutdown determined by the Health Department to be in compliance with the Air Pollution Code Sections that excuse these emissions from enforcement of each regulated pollutant as defined in Section 502 (b)(3)(B)(ii) of the Federal Clean Air Amendments of 1990. No fee shall be collected for the emission of carbon monoxide which is not a regulated pollutant as defined in Section 502(b)(3)(B)(ii) of the Clean Air Act Amendments of 1990.
- b. If no adjustment in the emissions fee rate established for any calendar year after 1992 is made by the County Commission, the fee shall be increased by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of such year exceeds the Consumer Price Index for the calendar year 1989. This rate amount shall then be adjusted to reflect changes in the fee amount that have occurred prior to that year by action of the Commission. For purposes of this ordinance, the Consumer Price Index is the average of the Consumer Price Index for all urban consumers published by the Department of Labor, as of the close of the twelve month period ending on August 31 of each calendar year, and the revision of the Consumer Price Index which is most consistent with the Consumer Price Index for 1989 shall be used.

¹ This is the effective emissions fee rate (after adjustment for carryover overage) approved by the Shelby County Commission.

APPROVED RATE	ADOPTED IN	EFFECTIVE RATE	APPLICABLE TO
\$9.00	1992	\$9.00	1991 EMISSIONS
\$18.00	1993	\$18.00	1992 EMISSIONS
\$19.00	1994	\$17.10	1993 EMISSIONS
\$29.65	1995	\$29.65	1994 EMISSIONS
--	--	\$29.65	1995 EMISSIONS
--	--	\$29.65	1996 EMISSIONS
\$29.65	1998	\$29.65	1997 EMISSIONS
\$29.65	1999	\$29.65	1998 EMISSIONS